

SECRETARY OF STATE[721]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of 2016 Iowa Acts, House File 2273, section 16, and Iowa Code section 47.1, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 21, “Election Forms and Instructions,” Iowa Administrative Code.

The proposed amendments will allow county commissioners of elections to utilize the United States Postal Service’s Intelligent Mail barcode (IMb) as an alternative to traditional postmarks when determining whether absentee ballots have been introduced into the federal mail system by the date required under Iowa Code chapter 53. These amendments require a county commissioner of elections to provide notice to the Secretary of State once the county commissioner decides to use IMb Tracing. The amendments further provide a procedure that the Absentee and Special Voters Precinct Board must use to determine whether the absentee ballot did in fact enter the federal mail system on time. Finally, these amendments require that a county commissioner who notifies the Secretary of State that IMb Tracing will be used in an election cycle must seek a waiver from the Secretary of State before discontinuing IMb Tracing for that election cycle.

Any interested person may make written suggestions or comments on the proposed amendments on or before August 23, 2016. Written suggestions or comments should be directed to Eric Gookin, Election Administrator, Office of the Secretary of State, First Floor, Lucas State Office Building, Des Moines, Iowa 50319. Persons who want to convey their views orally should contact the Secretary of State’s office by telephone at (515)281-7550 or in person at the Secretary of State’s office on the first floor of the Lucas State Office Building.

Requests for a public hearing must be received by August 23, 2016.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 2663C**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 53 as amended by 2016 Iowa Acts, House File 2273, sections 11 to 15.